

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

DAVID SAM GILLILAND, ]  
] vs. ] CV-07-LSC-RRA-8002-W  
Movant, ] CR-06-LSC-RRA-0036-W  
] [ ]  
vs. ]  
UNITED STATES OF AMERICA, ]  
] Respondent. ]

**MEMORANDUM OPINION**

The magistrate judge entered a report and recommendation, recommending that this § 2255 motion to vacate be denied. The movant has filed objections to the report and recommendation. The court has considered the entire file in this action, together with the report and recommendation and the objections, and has reached an independent conclusion that the report and recommendation is due to be adopted and approved. Accordingly, the court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court.

The motion to vacate is due to be DENIED. An appropriate order will be entered.

Done this 13<sup>th</sup> day of August 2008.



---

L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE  
153671